

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA AT ELKINS**

**FRIEDRICHS HARRIS, ADMINISTRATOR OF
THE ESTATE OF EVAN M. HARRIS,**

Plaintiff,

v.

**CIVIL ACTION NO.: 2:16-cv-00046
JUDGE BAILEY**

**Q&A ASSOCIATES, INC., A WEST VIRGINIA
CORPORATION, ANGELA SHOCKLEY, KEITH
BISHOP, MATTHEW SHOCKLEY, AND SANDY
SCHMIEDEKNECHT, and TAMMY ROBBINS.**

Defendants.

DEFENDANTS' PARTIAL MOTION FOR SUMMARY JUDGMENT

COME NOW, Defendants, Q&A Associates, Inc., Angela Shockley, Keith Bishop, Matthew Shockley, Sandy Schmiedeknecht, and Tammy Robbins (collectively "Q&A" or "Defendants"), by counsel, and, pursuant to Rule 56(b) of the Federal Rules of Civil Procedure, hereby moves the Court for an Order directing entry of summary judgment in favor of these Defendants because the Plaintiff has failed to comply with notice requirements pursuant to W. Va. Code §46A-6-106. Accordingly, the Plaintiff cannot satisfy his burden of proof as a matter of law that he made the required notice and pursuant a claim under the West Virginia Consumer Credit and Protection Act. Therefore, these Defendants are entitled to judgment as a matter of law, as is more fully discussed in the attached Memorandum of Law in Support of Defendants' Partial Motion for Summary Judgment.

**DEFENDANTS,
By Counsel**

/s/ John T. McCartney

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Defendants.

CERTIFICATE OF SERVICE

I certify that on this 5th day of July, 2018, I filed electronically via CM/ECF a true copy of “**DEFENDANTS’ PARTIAL MOTION FOR SUMMARY JUDGMENT**” with notice of the same being electronically served by the Court to the following:

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/s/ John T. McCartney
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